

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/26/2022

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STEPHEN GANNON, *individually and on behalf of all*
others similarly situated,

Plaintiff,

-v-

37 ESSEX STREET CORP., *et al.*,

Defendants.
-----X

22-cv-771 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

On September 7, 2022, counsel for defendants 37 Essex Street Corp. and Delancey Wine Inc. filed a letter on the docket addressed to Judge Netburn, the Magistrate Judge designated in this matter, requesting the scheduling of a settlement conference. Dkt. No. 17. Plaintiff has not responded to this letter.

The case has not yet been referred to Judge Netburn for settlement. In the proposed case management plan submitted by the parties, the parties did not indicate that they sought referral to a Magistrate Judge for settlement discussions. Dkt. No. 13 at 4; *see also* Dkt. No. 14 at 4. At the initial pretrial conference held in this matter, the parties represented that they did not yet need a referral to an alternative dispute resolution mechanism but that they would inform the Court by June 1, 2022 if they required one. The parties did not do so.

It is hereby ORDERED that by October 3, 2022, the parties shall file a joint letter informing the Court whether they would like a referral to a Magistrate Judge for settlement discussions.

SO ORDERED.

Dated: September 26, 2022
New York, New York



LEWIS J. LIMAN
United States District Judge